

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ALTA POWER LLC,
Plaintiff/Counter-Defendant,

v.

**GENERAL ELECTRIC
INTERNATIONAL, INC., n/k/a GE
VERNOVA INTERNATIONAL LLC,
d/b/a GE POWER SERVICES,**
Defendant/Counter-Plaintiff.

Case No. 3:23-CV-270-X

JOINT MOTION TO MODIFY SCHEDULING ORDER

Alta Power LLC and GE Vernova International LLC move for an extension of the remaining deadlines in this case currently provided in the Court's Scheduling Order of August 21, 2024. *See* Dkt. 59. The parties anticipate that this extension will ensure the parties can fulfill their discovery obligations, meaningfully mediate this case, and adequately prepare for trial.

Under Federal Rule of Civil Procedure 16(b)(4), the Court may modify the scheduling order for good cause shown. "The 'good cause' standard focuses on the diligence of the party seeking to modify the scheduling order." *Cut-Heal Animal Care Prods., Inc. v. Agri-Sales Assocs., Inc.*, 2009 WL 305994, at *1 (N.D. Tex. Feb. 9, 2009); *see also, e.g., Phelan v. U.S. Dep't of Hous. & Urban Dev.*, 2020 WL 13526741, at *2 (N.D. Tex. Aug. 27, 2020) (applying good cause standard to joint motion to modify the scheduling order).

Good cause exists to extend the deadlines in this case, because, in response to

recent discovery motions, both parties intend to or have recently made substantial productions of documents that the parties anticipate being complete in December 2024. The parties need additional time to fully review these productions and to conduct additional discovery, including scheduling additional depositions that may make use of these new documents. *See* Dkts. 61, 66.

The parties continue to work diligently to advance this litigation. They have agreed that such an extension will not adversely affect their interests. They also respectfully submit that this joint request is made in good faith rather than for the purpose of delay—to ensure sufficient time for discovery for either settlement or a resolution of this case on the merits.

Accordingly, the parties respectfully ask that the Court modify the scheduling orders as follows:

Jury Trial Date	October 20, 2025
	Number of Trial Days: 14 days
Pretrial Conference Date	October 14, 2025
Deadline to Designate Expert Witnesses (including rebuttal experts)	The party with the burden of proof on a claim: March 3, 2025 Rebuttal designation by the party without the burden of proof on a claim: April 4, 2025
Deadline to Complete Discovery	April 25, 2025
Deadline to Complete Mediation	June 3, 2025
Deadline to File Summary Judgment Motions	June 17, 2025
Deadline to File Challenges to Experts (including motions to strike or exclude expert witnesses)	June 17, 2025
Deadline to File Joint Pretrial Order	October 6, 2025
Deadline to Comply with Local Rule 26.2	October 6, 2025
Deadline to File Motions in Limine	October 6, 2025
Deadline to File Reponses to Motions in Limine	October 9, 2025
Deadline to File Objections to Witnesses (except expert witnesses)	October 9, 2025

Deadline to File Objections to Interrogatories	October 9, 2025
Deadline to File Joint Status Report on Pretrial Objections to Exhibits, Witnesses (except expert witnesses), and Deposition Designations	October 9, 2025

DATED: November 27, 2024

Respectfully submitted,

/s/ Michael Cancienne

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Attorneys for Alta Power LLC

CERTIFICATE OF SERVICE

I certify that on November 27, 2024, a true and correct copy of the foregoing document has been served on counsel of record pursuant to the Federal Rules of Civil Procedure.

/s/ Andrew LeGrand
Andrew LeGrand

*Attorney for General Electric International, Inc.,
n/k/a GE Vernova International LLC, d/b/a GE
Power Services*

CERTIFICATE OF CONFERENCE

We certify that Counsel for Alta Power LLC and GE Vernova International LLC conferred on November 22, 2024, and agreed to move for the relief requested in this Joint Motion.

/s/ Michael Cancienne
Michael Cancienne

Attorney for Alta Power LLC

/s/ Andrew LeGrand
Andrew LeGrand

*Attorney for General Electric
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